

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 1:25-cr-00006-JRS-TAB
)	
GABRIEL WHITLEY,)	-01
)	
Defendant.)	

ENTRY FOR APRIL 29, 2025

On this date, Defendant, Gabriel Whitley, appeared in person and by counsel, Gwen Beitz, for a sentencing hearing. The Government appeared by counsel, Tiffany Preston and Nicole Lockhart, with its investigative agent, Spencer Brooks. Danieka Thompkins appeared on behalf of the United States Probation Office. The hearing was recorded by Court Reporter, Laurie Morgan.

The Court addressed preliminary matters including the public's request to attend today's hearing, despite a no contact Order between the Defendant and a member of the public. The Court ordered Defendant to appear in person at the sentencing hearing and confirmed that by following the Court's order, Defendant is not in violation of that no contact Order. In addition, Defendant had no actual contact—either verbal or physical—with that member of the public.

The parties were heard with respect to the sentence and application of the Sentencing Guidelines.

Pursuant to the Sentencing Reform Act of 1984, Sentence was imposed as stated on the record, including:

- Special Assessment: \$100.00.
- Incarceration: 3 months. The Court orders any time served to be credited towards this sentence. The Court recommends placement at the lowest security level deemed appropriate. The Court further recommends substance abuse treatment, a mental health evaluation and treatment, particularly for trauma, vocational training and prison industries.
- Supervised Release: 1 year.
- Fine: \$100.00, interest waived.

By reference to the PSR, and after the Defendant waived formal reading, the Court advised the Defendant that while he is on supervised release, he is to comply with the following conditions:

- You shall not commit another federal, state or local crime.
- You shall not unlawfully possess a controlled substance. You shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on supervision and at least two periodic tests thereafter as directed by the probation officer.
- If the judgment imposes a fine, you shall pay in accordance with the Schedule of Payments ordered by the Court (if applicable).
- You shall cooperate with the collection of DNA as directed by the probation officer.
- You shall report to the probation office in the federal judicial district to which you are released within 72 hours of release from the custody of the Bureau of Prisons.
- You shall report to the probation officer in a manner and frequency directed by the court or probation officer.
- You shall permit a probation officer to visit you at a reasonable time at home, or another place where the officer may legitimately enter by right or consent, and shall permit confiscation of any contraband observed in plain view of the probation officer.
- You shall not knowingly leave the federal judicial district where you are being supervised without the permission of the supervising court/probation officer.
- You shall answer truthfully the inquiries by the probation officer, subject to your 5th Amendment privilege.
- You shall not meet, communicate, or otherwise interact with a person you know to be engaged, or planning to be engaged, in criminal activity. You shall report any contact with persons you know to be convicted felons to your probation officer within 72 hours of the contact.

- You shall reside at a location approved by the probation officer and shall notify the probation officer at least 72 hours prior to any planned change in place or circumstances of residence or employment (including, but not limited to, changes in who lives there, job positions, job responsibilities). When prior notification is not possible, you shall notify the probation officer within 72 hours of the change.
- You shall not own, possess, or have access to a firearm, ammunition, destructive device or dangerous weapon.
- You shall notify the probation officer within 72 hours of being arrested, charged, or questioned by a law enforcement officer.
- You shall maintain lawful full-time employment, unless excused by the probation officer for schooling, vocational training, or other reasons that prevent lawful employment.
- You shall make a good faith effort to follow instructions of the probation officer necessary to ensure compliance with the conditions of supervision.
- You shall participate in a substance abuse or alcohol treatment program approved by the probation officer and abide by the rules and regulations of that program. The probation officer shall supervise your participation in the program (provider, location, modality, duration, intensity, etc.). The court authorizes the release of the presentence report and available evaluations to the treatment provider, as approved by the probation officer.
- You shall not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances (e.g., synthetic marijuana, bath salts, Spice, glue, etc.) that impair a person's physical or mental functioning, whether or not intended for human consumption.
- You shall submit to substance abuse testing to determine if you have used a prohibited substance or to determine compliance with substance abuse treatment. Testing may include no more than 8 drug tests per month. You shall not attempt to obstruct or tamper with the testing methods.
- You shall submit to the search by the probation officer of your person, vehicle, office/business, residence, and property, including any computer systems and hardware or software systems, electronic devices, telephones, and Internet-enabled devices, including the data contained in any such items, whenever the probation officer has a reasonable suspicion that a violation of a condition of supervision or other unlawful conduct may have occurred or be underway involving you and that the area(s) to be searched may contain evidence of such violation or conduct. Other law enforcement may assist as necessary. You shall submit to the seizure of contraband found by the probation officer. You shall warn other occupants these locations may be subject to searches.
- You shall provide the probation officer access to any requested financial information and shall authorize the release of that information to the

U.S. Attorney's Office for use in connection with the collection of any outstanding fines and/or restitution.

- You shall participate in a mental health treatment program, as approved by the probation officer, and abide by the rules and regulations of that program. The probation officer, in consultation with the treatment provider, shall supervise participation in the program (provider, location, modality, duration, intensity, etc.). You shall take all mental health medications that are prescribed by your treating physician. The court authorizes the release of the presentence report and available evaluations to the treatment provider, as approved by the probation officer.
- You shall pay the costs associated with mental health treatment. The probation officer shall determine your ability to pay and any schedule of payment.

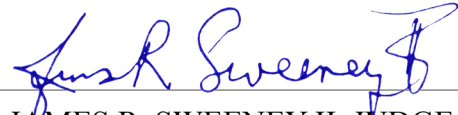
The Defendant shall pay to the United States a special assessment of \$100.

Payment of the special assessment shall be due immediately and is to be made directly to the Clerk, U.S. District Court.

The Defendant is to remain under the same conditions of pretrial release as previously imposed.

The proceedings were adjourned.

Date: 4/29/2025



JAMES R. SWEENEY II, JUDGE
United States District Court
Southern District of Indiana

Distribution to all counsel of record via CM/ECF.